

## Message Text

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ACTION AF-10

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FM AMEMBASSY KINSHASA

TO SECSTATE WASHDC IMMEDIATE 1864

UNCLAS KINSHASA 9742

E.O. 11652: N/A

SUBJECT: AGRICULTURE SECTOR SUPPORT LOAN

PER REFTEL, PARA (5), FOLLOWING ARE PROPOSED CPS IN IMPLEMENTATION  
LETTER NO. 1. QUOTE: II. CONDITIONS PRECEDENT TO INITIAL  
DISBURSEMENTS. AID WILL ISSUE A FIRST AND ANY ADDITIONAL REQUESTED  
LETTERS OF COMMITMENT, OR AUTHORIZE DISBURSEMENTS BY OTHER MEANS,  
TO FINANCE OPERATIONS UNDER THE LOAN AGREEMENT AFTER THE CONDITIONS  
PRESCRIBED IN SECTION 3.01 THEREIN AND LISTED BELOW HAVE BEEN  
MET.

A. LEGAL OPINION CONCERNING VALIDITY OF OBLIGATIONS OF GOVERN-  
MENTS AN OUTLINE OF INFORMATION TO AID COUNSEL IN PREPARING SUCH  
OPINION IN ACCORDANCE WITH SECTION 3.01(A) OF THE AGREEMENT IS  
SHOWN AS ATTACHMENT 3 TO THIS LETTER.

B. DESIGNATION OF THE BORROWER'S REPRESENTATIVE (S)  
TO COMPLY WITH THE INFORMATION SPECIFIED IN SECTION 3.01(B) OF  
THE LOAN AGREEMENT, THE GOVERNOR OF THE BANK OF ZAIRE SHOULD  
COMPLETE ATTACHMENT 4 TO THIS LETTER IN TRIPLICATE AND SUBMIT  
IT TOGETHER WITH THE LEGAL OPINION REQUESTED ABOVE.

C. A PLAN FOR THE JOINT PROGRAMMING OF FUNDS MADE AVAILABLE  
UNDER THIS AGREEMENT INCLUDING BUT NOT LIMITED TO:  
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1. THE CRITERIA AND PROCEDURES FOR IDENTIFYING COMMODITIES  
ELIGIBLE FOR FINANCING;

2. THE CRITERIA AND PROCEDURES FOR DETERMINING THE END USE  
OF COMMODITIES FINANCED IN TERMS OF FUNCTION AND FINAL GEOGRAPHIC  
DESTINATION;

3. THE CRITERIA AND PROCEDURES FOR IDENTIFYING AND SELECTING IMPORTERS AND END USERS;

4. THE PROCEDURES BY WHICH ALL PROCUREMENT FINANCED UNDER THIS AGREEMENT WILL BE CARRIED OUT;

5. THE PROCEDURES FOR MONITORING AND REPORTING ON PROCUREMENT AND UTILIZATION OF COMMODITIES FINANCED UNDER THIS AGREEMENT; AND

6. THE PROCEDURES AND MECHANISMS FOR PUBLICIZING PROCUREMENTS.

D. INSTALLATION OF AN IMF NOMINATED "PRINCIPAL DIRECTOR" AND SUPPORT TEAM AT THE BANK OF ZAIRE

IN COMPLIANCE WITH SECTION 3.01(D) OF THE AGREEMENT, THE BORROWER WILL PROVIDE CERTIFICATION TO A.I.D. THAT AN IMF NOMINATED PRINCIPAL DIRECTOR AND SUPPORT TEAM HAVE BEEN INSTALLED IN THE BANK OF ZAIRE. SUCH CERTIFICATION SHALL INDICATE THE GENERAL AREA OF RESPONSIBILITY OF EACH OF THESE INDIVIDUALS.

E. INSTALLATION OF AN "ORDONNATEUR" ATTACHED TO THE DEPARTMENT OF FINANCE

IN COMPLIANCE WITH SECTION 3.01(E) OF THE AGREEMENT, THE BORROWER WILL PROVIDE CERTIFICATION TO A.I.D. THAT AN ORDONNATEUR HAS UNCLASSIFIED

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BEEN ATTACHED TO THE DEPARTMENT OF FINANCE. SUCH CERTIFICATION SHALL ALSO INDICATE THE GENERAL AREAS OF RESPONSIBILITY OF SAID ORDONNATEUR.

F. CONCLUSION OF A NEW STANDBY AGREEMENT

IN COMPLIANCE WITH SECTION 3.01(F) OF THE AGREEMENT, THE BORROWER WILL PROVIDE WRITTEN CERTIFICATION THAT A NEW STANDBY AGREEMENT HAS BEEN CONCLUDED WITH THE IMF. THE BORROWER WILL FURTHER CERTIFY IN WRITING THAT A NEW COORDINATING COMMITTEE HAS BEEN ESTABLISHED TO OVERSEE THE IMPLEMENTATION OF THE ACCOMPANYING STABILIZATION PLAN AND THAT THE PRINCIPAL DIRECTOR OF THE CENTRAL BANK AND THE ORDONNATEUR OF THE DEPARTMENT OF FINANCE ARE INCLUDED ON THE COMMITTEE.

G. SATISFACTORY PROGRESS ON THE INSTALLATION OF FOREIGN EXPERTS IN THE CUSTOMS DEPARTMENT

IN COMPLIANCE WITH SECTION 3.01(G) OF THE AGREEMENT, THE BORROWER WILL PROVIDE WRITTEN INDICATION REGARDING PROGRESS MADE TOWARD THE INSTALLATION OF A FOREIGN EXPERT IN THE CUSTOMS DEPARTMENT.

H. ADDITIONAL FOREIGN EXCHANGE DATA

IN COMPLIANCE WITH SECTION 3.01(H) OF THE AGREEMENT, THE BORROWER WILL PRESENT ADDITIONAL DATA REGARDING THE STATUS OF FOREIGN EXCHANGE RECEIPTS AND EXPENDITURES DURING THE MONTHS OF AUGUST AND SEPTEMBER.

I. CONDITIONS PRECEDENT TO ADDITIONAL DISBURSEMENTS

CONDITIONS PRECEDENT TO ADDITIONAL DISBURSEMENTS MADE UNDER THIS LOAN SHALL INCLUDE CONTINUED SATISFACTORY PERFORMANCE UNDER THE MEASURES D THROUGH H.  
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